NELSON
NIEHAUS
LAW OF MOTION

200 Park Avenue
Suite 1700
New York, NY 10166
nelson.legal

Stephanie E. Niehaus
C: 440 897 1287 • O: 212 457 1668
stephanie.niehaus@nelson.legal

April 22, 2022

VIA ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *McKoy, et al. v. The Trump Corp., et al.*, **Case No. 18-cv-09936 (LGS)**

Dear Judge Schofield:

We write on behalf of non-party ACN Opportunity, LLC ("ACN"), pursuant to Rule I.D.3 of Your Honor's Individual Rules and Procedures for Civil Cases ("Individual Rules"), to respectfully request approval to file under seal an unredacted version of ACN's response to Plaintiffs' April 15, 2022 letter "outlin[ing] certain disputes concerning discovery sought from ACN" [ECF No. 397] (the "Discovery Letter").

In accordance with the Court's Individual Rules and the Protective Order in this case, Plaintiffs redacted portions of the Discovery Letter in which they quote from and purport to characterize certain statements from a confidential Declaration that ACN provided in response to Plaintiffs' discovery requests to ACN relating to ACN's internal business operations and record-keeping. On April 19, 2022, ACN filed a letter requesting that the redacted portions of the Discovery Letter remain sealed in the public record, and provided justification for that confidential treatment. *See* ECF No. 401. In its response to the Discovery Letter, ACN refers to and quotes from the same Declaration. Thus, for the same reasons set forth in ACN's April 19 submission, ACN respectfully requests that the Court permit ACN's unredacted response to remain under seal.

Pursuant to Indiv. R. I.D.3, ACN will contemporaneously file a redacted version of its response letter on the public docket and an unredacted version of its response letter under seal with the proposed redactions highlighted. ACN will serve the unredacted version on Plaintiffs' counsel.

Respectfully,

Stephanie E. Niehaus

cc: All Counsel of Record (via ECF)